

**CERTIFICATE OF SERVICE**

I am employed in the City and County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action; my business address is 150 Spear Street, Suite 1800, San Francisco, California 94105.

On November 26, 2008, I served the foregoing document described as follows:

**1. REPLY BRIEF BY TODD DUNNING AND DUNNING ENTERPRISE, INC., IN SUPPORT OF MOTION TO DISMISS FIRST AMENDED COMPLAINT**

by placing a true and correct copy thereof enclosed in a sealed envelope addressed to the party(ies) of record whose name(s) and address(es) appear below:

**SEE ATTACHED SERVICE LIST**

☒ [BY MAIL - CCP § 1013a] I caused such sealed envelope with postage thereon fully prepaid to be placed in the United States mail at San Francisco, California, for collection and mailing to the office of addressee(s) on the date shown herein following ordinary business practice.

☐ [HAND-DELIVERY/Personal/Messenger - CCP § 1011] I caused such envelope to be hand-delivered by a courier, who personally delivered such envelope to the office of the addressee(s) on the date herein.

☐ [BY FACSIMILE - CCP § 1013(e)] - I caused such document(s) to be transmitted via facsimile electronic equipment transmission on the party(ies), whose name(s), address(es) and fax number(s) are listed above, on the date stated herein and at the time set forth on the attached transmission reported indicating that the facsimile transmission was complete and without error.

☐ [BY FEDEX (Overnight Delivery) - CCP § 1013(c)] I caused such envelope to be delivered to the Federal Express Office in San Francisco, California, with whom we have a direct billing account, to be delivered on the next business day.

☐ [BY E-MAIL or ELECTRONIC TRANSMISSION] . Based on a court order or agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the email addresses listed above. I did not receive within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ [STATE] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ [FEDERAL] Service was made under the direction of a member of the bar of this Court who is admitted to practice and is not a party to this cause.

Executed on November 26, 2008, at San Francisco, California.

/s/  
Joyce E. Johnson

**ATTACHED SERVICE LIST**

<p>Leo Presiado  RUS, MILIBAND &amp; SMITH  Citicorp Plaza  2600 Michelson Drive, 7th Floor  Irvine, CA 92612  Attorneys for Defendants Brian Dunning and  Thunderwood Holdings, Inc.</p>	<p>Seyamack Kouretchian  COAST LAW GROUP  169 Saxony Road, Suite 204  Encinitas, CA 92024  Attorneys for Defendants Shawn Hogan and  Digital Point Solutions, Inc.</p>
<p>David Eberhart  O'MELVENY &amp; MYERS LLP  Embarcadero Center West  2 Embarcadero Center, 28th Floor  San Francisco, CA 94111  Attorneys for Plaintiff eBay, Inc.  Telephone: 415-984-8700  Facsimile: 415-984-8701</p>	<p>Patrick K. McClellan  Von Karman Towers  2211 Michelson Drive, 7th Floor  Irvine, CA 92612  Attorney for Kessler's Flying Circus</p>

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